

**IN THE CLAIMS:**

Please cancel Claim 31. Please amend Claims 1, 22, 34 and 35. Please add new Claims 36-

38. All presently pending claims are reproduced below.

1. (Currently Amended) A breathing device comprising, in fluid communication, a breathing channel and an exhaust channel extending from a junction therebetween; and a gas inlet channel arranged so as in use to introduce gas into said breathing channel such that in use a positive pressure may be maintained in the breathing channel, wherein an axis of the ~~said~~ gas inlet channel is laterally offset from an axis of the breathing channel at the point at which the gas inlet channel introduces the gas into the breathing channel.

2. (Cancelled)

3. (Cancelled)

4. (Cancelled)

5. (Cancelled)

6. (Cancelled)

7. (Cancelled)

8. (Cancelled)

9. (Cancelled)

10. (Cancelled)

11. (Cancelled)

12. (Cancelled)

13. (Cancelled)

14. (Cancelled)

15. (Cancelled)

16. (Cancelled)

17. (Cancelled)

18. (Previously Presented) The device of Claim 1 wherein the axis of the gas inlet channel is laterally offset from an axis of the breathing channel at a narrowest part of the breathing channel.

19. (Previously Presented) The device of Claim 1 wherein the breathing channel is of a substantially constant cross-sectional area.

20. (Previously Presented) The device of Claim 1 wherein the breathing channel has a substantially circular cross-section.

21. (Previously Presented) The device of Claim 1 wherein the gas inlet channel opens into the breathing channel.

22. (Currently Amended) ~~A~~ ~~The device as claimed in of claim~~ Claim 21 wherein the gas inlet channel is arranged to open into the junction between the breathing channel and the exhaust channel on an outer side of the junction.

23. (Previously Presented) The device of Claim 1, wherein the gas inlet channel is laterally offset from the axis of the breathing channel in a direction toward the exhaust channel.

24. (Previously Presented) The device of Claim 1 wherein the gas inlet channel is inclined relative to the breathing channel axis.

25. (Previously Presented) The device of Claim 1 comprising at least two gas inlet channels at different lateral offsets and inclinations.

26. (Previously Presented) The device of Claim 1 comprising a movable gas inlet channel.

27. (Previously Presented) The device of Claim 1 wherein the gas inlet channel is narrower than at least one of the exhaust and breathing channels.

28. (Previously Presented) The device of Claim 1 wherein the breathing and exhaust channels are substantially linear and intersect one another at an angle of at least about ninety degrees.

29. (Previously Presented) The device of Claim 1 wherein the breathing device is adapted to be attached directly to a face of a patient.

30. (Previously Presented) The device of Claim 1 wherein the breathing device is adapted to be connected to a mask.

31. (Cancelled)

32. (Previously Presented) The device of Claim 1 wherein the gas inlet channel is arranged to provide a degree of gas bypass such that increased pressure is provided during inhalation.

33. (Previously Presented) The device of Claim 1 wherein the gas inlet channel has a

cross sectional area that is smaller than a cross sectional area of at least one of the breathing and exhaust channels.

34. (Currently Amended) The device ~~as claimed in~~ of claim 33 wherein the cross sectional area of the gas inlet channel is approximately one-fourth the cross sectional area of at least one of the breathing and exhaust channels.

35. (Currently Amended) A breathing device comprising, in fluid communication, a breathing channel and an exhaust channel extending from a junction therebetween; and a gas inlet channel arranged so as in use to introduce gas into the breathing channel such that in use a positive pressure may be maintained in the breathing channel, wherein ~~the~~ an axis of the gas inlet channel is directed towards ~~an elbow disposed at~~ an inner edge of ~~a~~ the junction between the breathing and exhaust channels.

36. (New) The device of Claim 35 wherein the axis of the gas inlet channel is laterally offset from the axis of the breathing channel at the point at which the gas inlet channel introduces the gas into the breathing channel.

37. (New) The device of Claim 35 wherein the gas inlet channel is arranged to open into the junction between the breathing channel and the exhaust channel on an outer side of the junction.

38. (New) The device of Claim 35 wherein the gas inlet channel is arranged to provide a degree of gas bypass such that increased pressure is provided during inhalation.